



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 28, 2020

BY ECF

The Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States v. Ng Lap Seng,*
S5 15 Cr. 706 (VSB)**

Dear Judge Broderick:

The Government respectfully submits this letter in the above-captioned matter in response to the Court's order of earlier today (Dkt. 949) inquiring of the status of the defendant's request to the Federal Bureau of Prisons ("BOP") for compassionate release.

The defendant's request, which was received by the BOP on March 30, 2020, was denied by the BOP last week. A copy of the denial, which was sent to defense counsel, is enclosed. The Court accordingly has authority to reach the substantive merits of the defendant's motion starting tomorrow (30 days from March 30).¹

¹ The reason why the operative date is tomorrow, and not sooner, is that the defendant has the right to appeal within the BOP the denial, and is required to do so to exhaust his administrative remedies. *See* 18 U.S.C. § 3582(c)(1)(A)(i); 28 C.F.R. § 542.15(a).

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Respectfully submitted,

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Enclosure

cc: (by ECF)

Counsel of Record